

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

RANDALL GLEN MATTHEWS

CIVIL DOCKET NO. 5:23-00894

VERSUS

JUDGE DAVID C. JOSEPH

CITY OF BOSSIER CITY, ET AL.

**MAGISTRATE JUDGE KAYLA D.
MCCLUSKY**

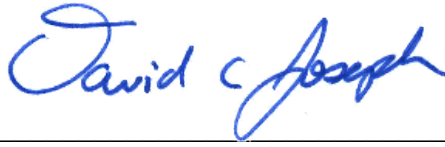
JUDGMENT

This matter was referred to United States Magistrate Judge Kayla D. McClusky for Report and Recommendation. After an independent review of the record, noting the absence of objections thereto having been filed, this Court concludes that the Magistrate Judge's REPORT AND RECOMMENDATION [Doc. 13] is correct and adopts the findings and conclusions as its own. Accordingly,

IT IS ORDERED that the Rule 12(b)(6) MOTION FOR PARTIAL DISMISSAL [Doc. 9] filed by Defendants, City of Bossier City, Robbie Gilbert, and Danny Louis Turner, is GRANTED IN PART and DENIED IN PART, and that, with the exception of the malicious prosecution claims, Plaintiff's damages claims under 42 U.S.C. § 1983, the Louisiana Constitution, and state tort law, attributable to the December 17, 2021 incident, are hereby DISMISSED WITH PREJUDICE, as time-barred. FED. R. CIV. P. 12(b)(6).

IT IS FURTHER ORDERED that Defendants' MOTION TO STAY [Doc. 9] Plaintiff's remaining claims, pending outcome of the related criminal proceedings, is GRANTED. The parties shall file status reports every six months and seek to lift the stay as soon as the related criminal proceedings are resolved.

THUS, DONE AND SIGNED in Chambers on the 27th day of November,
2023.

A handwritten signature in blue ink, reading "David C. Joseph". The signature is written in a cursive, flowing style. The "D" is large and loops around the "avid". The "C" is small and sits between the "avid" and "Joseph". The "Joseph" is written in a similar cursive style, with a large "J" and a long, sweeping tail that extends to the right.

DAVID C. JOSEPH
UNITED STATES DISTRICT JUDGE